

REMARKS

Claims 1-16 and 18 are presently pending. Claims 17, and 19-26 were cancelled without prejudice.

Claims 1-16 and 18 were rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Alvarez in view of Vines.

Claim 1 recites, among other limitations, "using the decoded parameters stored in the parameter buffers". Examiner has indicated that "Alvarez fails to disclose ... using the decoded parameters stored in the parameters buffer for providing the decoded images for display, as in in the claim." Examiner however indicated that "The Alvarez decoder, now incorporating the Vines' teaching ... has all of the feature of claim 1."

However, under 35 U.S.C. § 103(c)(1), "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person." Alvarez is not prior art under 35 U.S.C. § 102(a), (b), (c) or (d).

It is respectfully submitted that Alvarez is assigned to the Broadcom Corporation as is the present case. Alvarez is a continuation of Application Serial No. 10/114,679, now U.S. Patent 7,034,897 which, along with any continuations, was assigned to the Broadcom Corporation. See Reel/Frame 014002/0773 (Assignment for present application) and Reel/Frame 012761/0060 (U.S. Patent 7,034,897).

Accordingly, Assignee respectfully traverses the rejection to claims 1-16, and 18, under 35 U.S.C. § 103(a) and requests that Examiner withdraw the rejection.

Additionally, claim 27 is added and Examiner has indicated that Alvarez fails to disclose wherein the decoded parameters include at least one parameters selected from a group consisting of presentation time stamp, top field first, and repeat first field. Accordingly, Assignee respectfully submits that claim 27 is allowable.

Conclusion

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are in a condition for allowance, and Examiner is kindly requested to pass this case to issuance.

RESPECTFULLY SUBMITTED,



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